



In the United States Patent and Trademark Office

Title: SIMPLIFIED "T" INTERCHANGE DESIGNS
FOR HIGHWAY "T" INTERSECTIONS

Application No: 10/716,988

Filing date: 11/18/2003

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313

Request to Reconsider 35 USC 103 Rejection

The applicant requests that the 35 USC 103 rejection be reconsidered. The NPL reference listed by the examiner was not included in the 11/19/2008 office action papers.

The applicant has found information that appears to be the "Eisenhower Ave. Connector" which the Examiner refers to as "NPL" in the 11/19/2008 office action. The applicant submits that the Eisenhower Ave. Connection to Interstate Highway 495 has no relevance to the applicants claimed invention. The referenced intersection is substantially a "Diamond Interchange." This is an old idea similar to the Diamond interchange shown in prior art at FIG. 5. A diamond interchange is also shown in the line drawings of interchanges from the Federal Highway Administration.

The Interstate Highway 495 has no median what so ever where the Eisenhower Connector (third road surface) meets Interstate Highway 495 (first road surface and second road surface). Also, the Eisenhower Connector (third road surface) passes under both the Interstate Highway 495 east bound lanes and west bound lanes (first road surface and second road surface).

The Eisenhower Connector (third road surface) does not have "a terminated end that is located within the median between the first road surface (Interstate Highway 495 west bound lanes) and the second road surface" (Interstate Highway 495 east bound lanes).

Please review the two aerial photos of the Eisenhower Connector intersection with Interstate Highway 495, which are enclosed herewith.

Also, please review the two street maps of the Eisenhower Connector intersection with Interstate Highway 495, which are enclosed herewith.

It appears that the intersection referred to as the Eisenhower

Ave. Connector was originally an underpass connecting Clermont Ave to Clermont Drive. There was no connections onto Interstate 495. At some point in time the Highway Department decided to turn the intersection into a Diamond interchange that functions as a "T Interchange" by adding "on ramps" and "off ramps" and blocking the road onto Clermont Drive.

The applicant submits that the Dallas reference has no relevance to the applicants claimed invention. The "Route 30 Interchange" "yellow" or "third road surface." does not have "a terminated end that is located within the median between the first road surface and the second road surface" The "Route 30 Interchange" "yellow" or "third road surface" passes under the first road surface and also passes under the second road surface.

How can two references that have no relevance to the applicants invention be combined to make the applicants invention obvious? The applicant submits that this is like stating: "zero plus zero equals three!"

The applicant submits that 3 or 4 Simplified "T" Interchange Designs can be built for the same amount of money that would be required for one "Diamond" Interchange or one "Trumpet" Interchange.

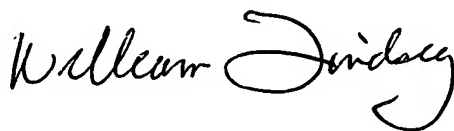
Additionally, applicant submits that the Simplified "T" Interchange Designs provide substantially the same amount of safety that "Diamond" Interchanges and "Trumpet" Interchanges provide.

Additionally, applicant submits that the Simplified "T" Interchange Designs can be modified as traffic volume increases to transform them into "Diamond" Interchanges and "Trumpet" Interchanges. (See FIG 14x, 14y, 15x, and 15y.)

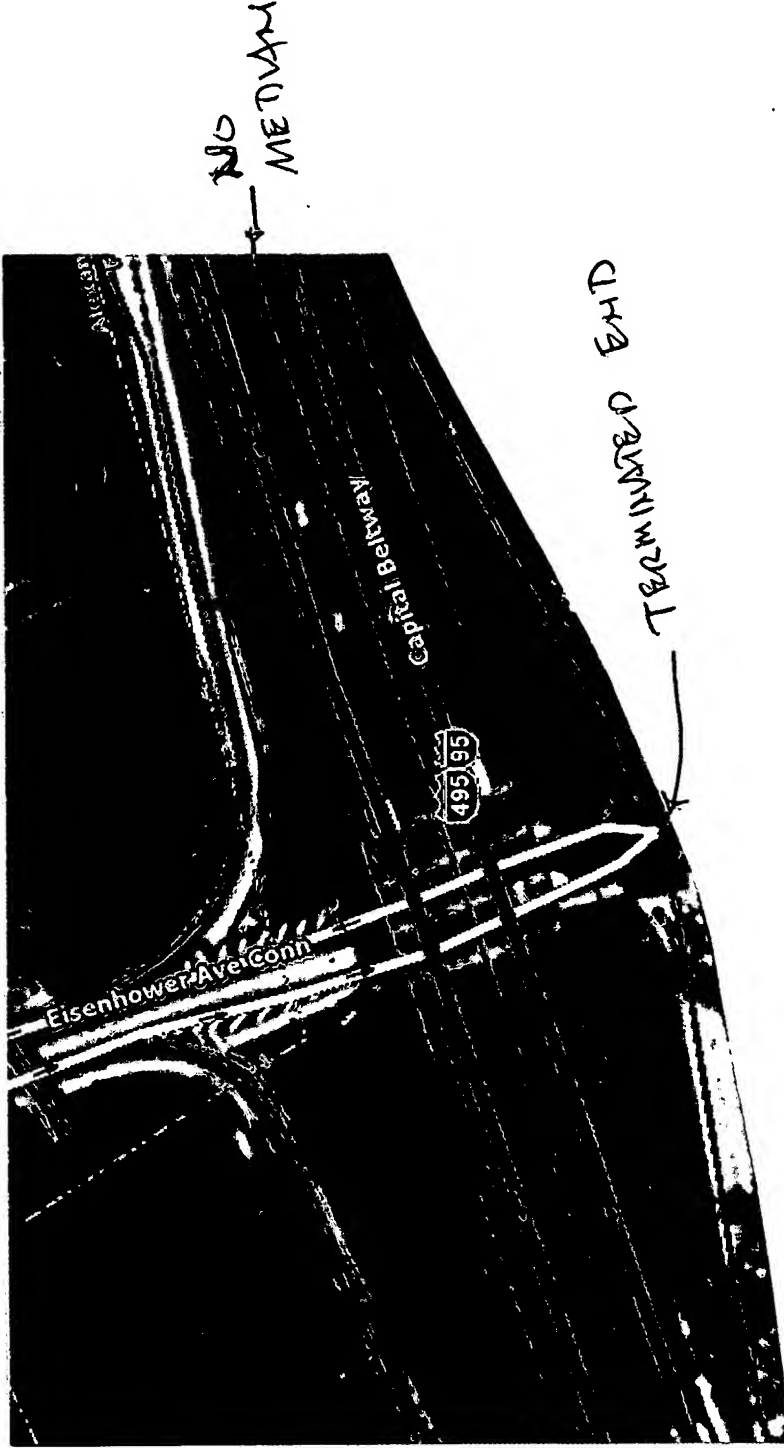
Much of the Interstate Highway System in the United States is 50 years old and will be in need of rebuilding soon. (See News Paper article.) Simplified "T" Interchange Designs could be utilized in the rebuilding efforts and possibly in new Interstate and other expressway routes.

The applicant submits that the currently proposed claims clearly define over all prior art.

William Lindsey



Date: 2/11/08



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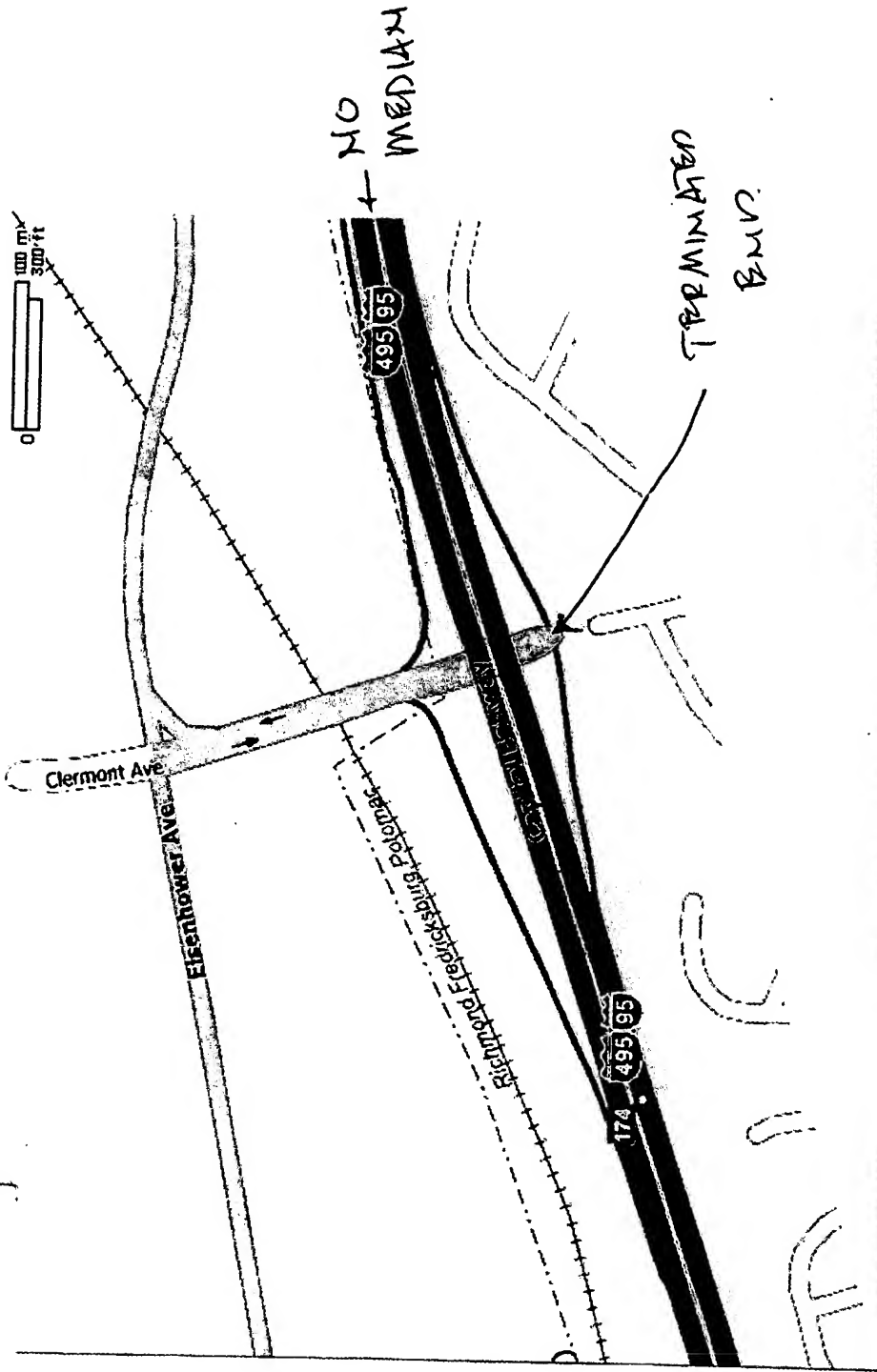
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NO
→ MEDIAN



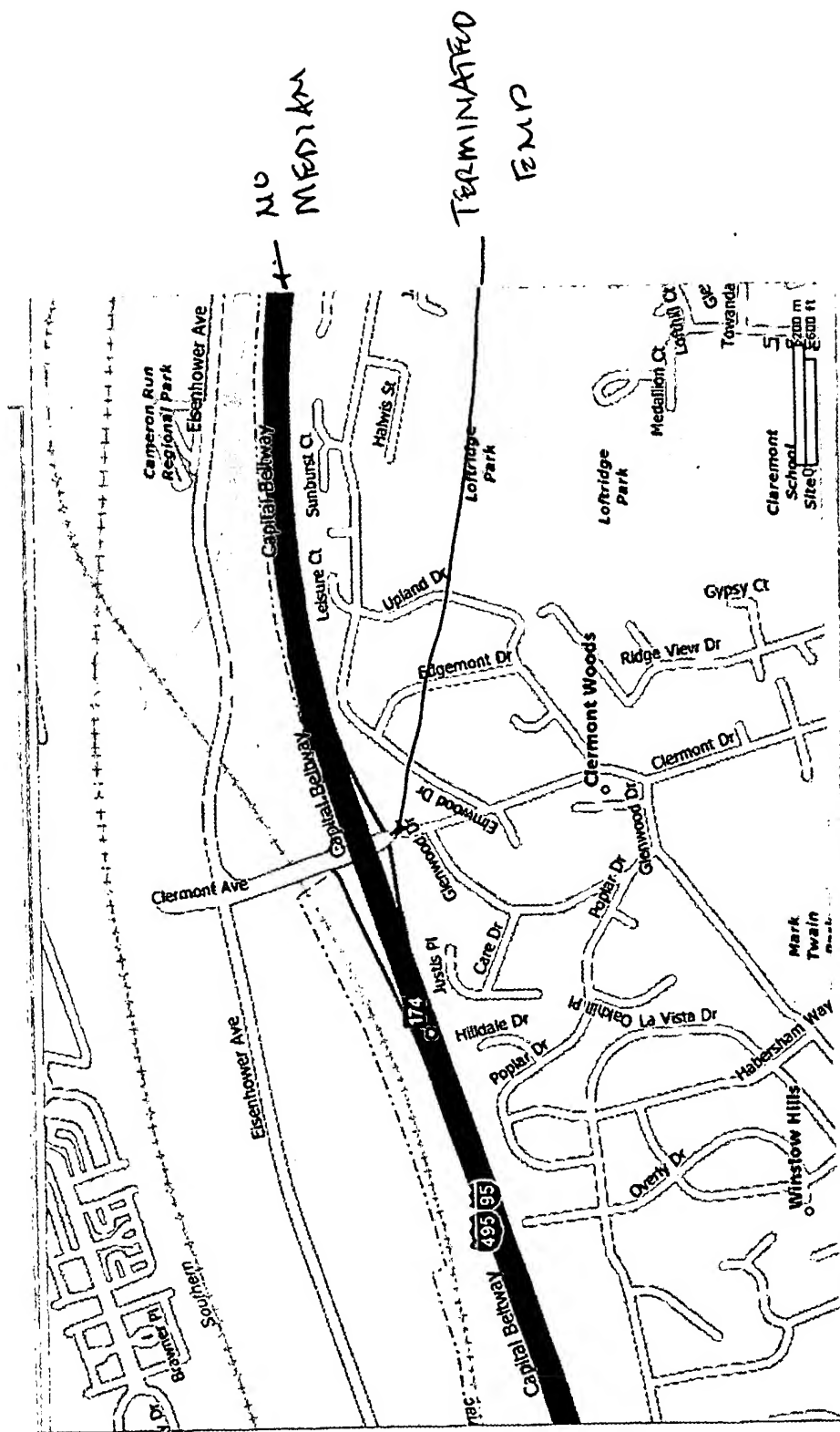
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Request For Information on Telephone Interview

The applicant requests information related to the Telephone Interview of 8/13/2008. On 8/13/2008 the Examiner left a message on the Applicants answering Service stating that the Application was in order and he was ready to give the application a notice of allowance. There was a minor correction that need to be done and the examiner could do an "Examiner's amendment" to make the correction. At 12:36 PM on 8/13/2008 the applicant called the examiner and during the interview, the applicant gave the Examiner verbal permission to do the "Examiner's Amendment. The Applicant was expecting a notice of allowance in the mail. The Applicant checked the Public Pair Information for this application and there is no record of the 8/13/2008 telephone interview in the "Image File Wrapper" nor in the "Transaction History".

The applicant would like this explained.

Thank you,

William Lindsey

William Lindsey 2/14/08

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TELEPHONE
STATEMENT

Remarks :

The enclosed is a response to the PTO document date mailed 11/19/2007.

The applicant has requested that the 11/19/2007 final rejection be withdrawn.

The applicant has also requested that the 11/19/2007 final rejection be reconsidered.

The applicant submits that the final rejection was improper because the examiner did not include information or documents that shows the "NPL" that the examiner refers to that makes the applicants claims obvious. The applicant cannot respond to the reference because it is not included in the office action.

The applicant has found information that appears to be the "Eisenhower Ave. Connector" which the Examiner refers to as "NPL" in the 11/19/2007 office action. The applicant submits that the Eisenhower Ave. Connection to Interstate Highway 495 has no relevance to the applicants claimed invention. The referenced intersection is substantially a "Diamond Interchange." This is an old idea similar to the Diamond interchange shown in prior art at FIG. 5. A diamond interchange is also shown in the line drawings of interchanges from the Federal Highway Administration.

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Additionally, applicant submits that the Simplified "T" Interchange Designs provide substantially the same amount of safety that "Diamond" Interchanges and "Trumpet" Interchanges provide.

Additionally, applicant submits that the Simplified "T" Interchange Designs can be modified as traffic volume increases to transform them into "Diamond" Interchanges and "Trumpet" Interchanges. (See FIG 14x, 14y, 15x, and 15y.)

The applicant has added two new independent claims. The previously submitted claims remain the same.

The applicant has one sheet of prior art interchanges and labeled the sheet prior art.

The applicant has submitted two replacement sheets of line drawings.

The applicant has amended the specification.

The applicant submits that now new matter has been entered.

Much of the Interstate Highway System in the United States is 50 years old and will be in need of rebuilding soon. (See News Paper article.) Simplified "T" Interchange Designs could be utilized in the rebuilding efforts and possibly in new Interstate and other expressway routes.


Enclosed is a credit card form to pay for the two new claims.
Please charge any additional fees that may be due at this time to
the listed credit card.

Any fees due at this time may be charged to Deposit Account
54162.

The applicant submits that the currently proposed claims clearly
define over all prior art.

The Examiner is authorized to do an Examiner's amendment, if
necessary, to place the application in condition for allowance.

Sincerely,


William Lindsey

Date: 2/19/08

BusinessNorth[®]

The Region's Authority for Business News

February 2008

Transportation investment need is huge

Infrastructure study recommends \$225 billion in additional annual spending for next 50 years.

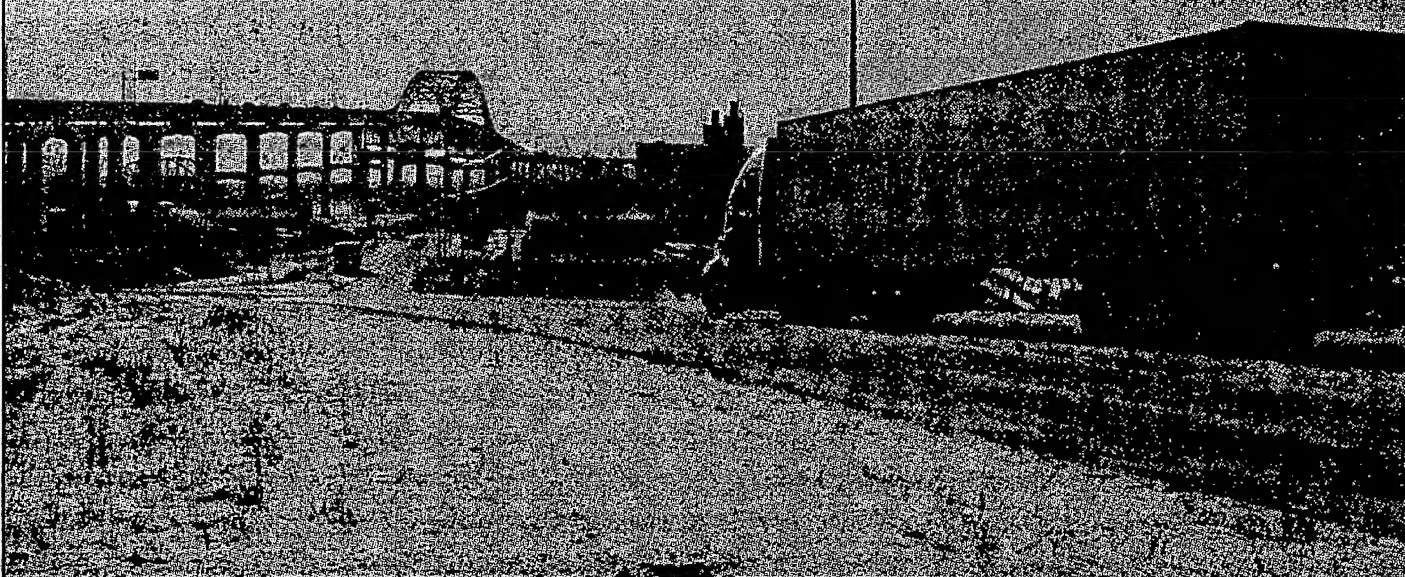


Photo by Bruce Woodman

Skyrocketing cost of construction materials has stalled many road and bridge repair projects.

By RICHARD THOMAS

A new study by a Congressional panel unveils a looming state-federal fight over their roles in the expensive repair of the nation's long-neglected transportation infrastructure.

On Jan. 15, a congressional panel formed in 2005 — the National Surface Transportation Policy and Revenue Study Commission — issued a report calling for a 25-40 cents per gallon increase in the federal gas tax. The increase is critical to finance a recommended 60 percent increase in infrastructure spending over the next 50 years, a whopping \$225 billion annually,

Pawlenty's 2008 bonding plan includes record spending for bridges
page 12

according to the study group.

Its report urges expanded use of rail and rebuilding most of the 50-year-old Interstate highway system.

The federal gas tax has been 18.4 cents per gallon for gasoline and 24.4 cents for diesel since 1993. The commission recommends the federal tax increase over five years, and urges states to raise their fuel taxes, as well.

Its report notes the U.S. population is expected to increase by 150 million over the next 50 years. "How are we going to move all these people around, and this commerce around?" asked Wisconsin Transportation Secretary Frank Busalacchi, appointed to the commission by House Speaker Nancy Pelosi, D-CA.

"Nobody likes saying we've got to raise taxes. But there's no way we're going to get there without the gas tax increase," he said. "The country has to come to grips with this."

The commission also recommends that states and local government be given

Transportation continues on page 13

Transportation funding battle looms

Continued from page 1

the flexibility to assess road tolls, "and/or implement congestion pricing," assessing surcharges on vehicles traveling in heavily-traveled areas during peak hours. It also encourages raising revenues through public-private partnerships, from leasing tollroads to private operators to charging special fees to fast food and other retailers that benefit from street and highway traffic.

Minnesota has the authority to engage in public-private partnerships; Wisconsin does not, according to the commission's study.

Chairwoman Mary Peters, U.S. Secretary of Transportation, was one of three members who dissented from the commission's recommendations for higher motor fuel taxes and a larger federal role in national transportation policy and financing.

Their minority report argues the states to take on a larger role:

"Revenues collected at the state and local levels allow greater flexibility, responsiveness, and accountability to local transportation consumers. Planning and construction flexibility is much greater without the onerous procedural requirements and 'one size fits all' approach that come with federal funds.

"The importance of selecting the right path forward for the nation — one that introduces greater state responsibility and accountability, rational pricing, and market discipline into our transportation system — cannot be overstated," the minority report states.

Wisconsin

The state of Wisconsin presently adds another 32.9 cents to the gas tax. The tax

is indexed to inflation, and ranks among the highest in the nation.

Wisconsin's two year transportation budget provides rehabilitation of highways and bridges at \$670.6 million in fiscal year 2008 and \$691.6 million in 2009. That's an increase of 9.2 percent and 12.6 percent, respectively, over 2007.

Contract lettings will rise to the range of \$744-764 million this year, up from \$708 million in 2007, according to the Wisconsin Department of Transportation (WisDOT).

That's good news for Wisconsin's highway lobby.

"It appears we finally may be on the way to using these funding increases to address the significant backlog of transportation needs in the state, rather than simply trying to keep pace with the skyrocketing cost of materials," said Pat Goss, executive director of the Wisconsin Transportation Builders Association.

Worldwide demand for construction materials has driven up prices, Goss said. The Wisconsin Construction Cost Index, maintained by WisDOT and based on actual project costs, rose 31.1 percent from 2004-06.

A provision in the two-year budget signed in October by Gov. James Doyle requires the transportation department to return \$25 million, or 1.5 percent of its highways and bridges budget, to the general fund to balance that budget. The transfer will result in only a slight delay in some construction projects because the agency's budget actually increased by 9.5 percent.

In a controversial 2005 veto, Doyle transferred \$330 million from the state

transportation fund to help finance education programs. The need to replace that transportation funding helped lead to an increase in the annual vehicle registration fee from \$55 to \$75.

Doyle's veto raised objections to "Frankenstein" vetoes Wisconsin governors are allowed to make, deleting specific words and numbers in the spending bill and then stitching together the fragments to create a law very different from the legislative intent.

On Jan. 15 by a 94-1 vote (state Rep. Frank Boyle, D-Superior was the lone dissenter), the Wisconsin Assembly decided to ask voters in an April 1 referendum whether the constitution should be amended to ban the Frankenstein veto.

Meanwhile, the energy bill signed by President Bush on Dec. 19 requires 25 percent of the nation's energy to come from renewable sources by the year 2025. Towards this goal, the Renewable Fuel Standards bill is moving through the Wisconsin Legislature, sponsored by state Sen. Pat Kreitlow, D-Chippewa Falls, and state Rep. Scott Suder, R-Abbotsford.

Governor Doyle touted the bill in his Jan. 23 State of the State address. The bill requires oil companies and fuel distributors rather than local retailers to provide renewable fuels, namely ethanol and biodiesel, to achieve the "25 x 25" standard.

Doyle also announced an initiative to provide tax credits for biodiesel producers, add 400 new renewable fuel pumps around the state and increase the availability of renewable fuel by one billion gallons.